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IN THE UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

MEDFORD DIVISION

SODA MOUNTAIN WILDERNESS COUNCIL;
OREGON WILD; KLAMATH SISKIYOU
WILDLANDS CENTER; CENTER FOR
BIOLOGICAL DIVERSITY; and CASCADIA
WILDLANDS,

No. 1:12-cv-01171

v.

**PLAINTIFFS' MOTION FOR
STAY PENDING APPEAL**

UNITED STATES BUREAU OF LAND
MANAGEMENT

Defendant,

MURPHY COMPANY,

Defendant-Intervenor.

Pursuant to LR 7.1(a)(1), counsel for Plaintiffs conferred with counsel for Federal Defendants and counsel for Defendant-Intervenor, and they are opposed to this motion.

Pursuant to Federal Rule of Civil Procedure 62(c), Plaintiffs, by and through their undersigned attorneys, hereby respectfully request that this Court issue a stay pending Plaintiffs' appeal for the Cottonwood timber sale. This motion is necessitated by Defendant-Intervenor's stated intention to log during winter conditions. Logging activities ensued after Plaintiffs' Motion for Preliminary Injunction was denied (Dkt #42), but stopped soon thereafter due to wet conditions in the project area. In the likely event sufficient snow falls on the project area, Defendant-Intervenor will resume logging activities in the project area.

To avoid irreparable harm and maintain the status quo, Plaintiffs respectfully request that this Court issue an order staying logging activities pursuant to the Cottonwood timber sale pending a resolution of Plaintiffs' appeal of the denial of their Motion for Preliminary Injunction.

This motion is based upon the Memorandum, Declarations, and Exhibits filed herewith, and the Administrative Record filed with the Court.

Respectfully submitted December 19, 2012.

s/ Sean T. Malone
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s/ Marianne Dugan
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Certificate of Service

I hereby certify that on December 19, 2012, Plaintiffs filed through the United States District Court ECF System the foregoing to be served by CM/ECF electronic filing on the following attorneys of record:

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